

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**CENTRAL STATES, SOUTHEAST
AND SOUTHWEST AREAS PENSION
FUND, CENTRAL STATES,
SOUTHEAST AND SOUTHWEST
AREAS HEALTH AND WELFARE
FUND, and HOWARD McDougall,
trustee,**

Plaintiffs / Counter-
Defendants,

v.

**AGL RESOURCES, INC., a Georgia
Corporation, NUI CAPITAL CORP., a
Florida Corporation; and PIVOTAL
UTILITY HOLDINGS, INC., f/k/a NUI
UTILITIES, INC., a New Jersey
Corporation,**

Defendants / Counter-
Plaintiffs.

No. 07 C 6933

Judge: Blanche M. Manning
Magistrate: Judge Denlow

**AGREED MOTION TO REMOVE AND RE-FILE REDACTED EXHIBITS TO
DEFENDANTS' COUNTERCLAIM**

Defendants / Counter-Plaintiffs, AGL Resources, Inc., NUI Capital Corporation and Pivotal Utility Holdings, Inc., f/k/a NUI Utilities, Inc. (“Defendants”), by its attorneys, Littler Mendelson, P.C., submit the following Motion to Remove and Re-file Redacted Exhibits to Defendants’ Counterclaim, and in support thereof states as follows:

1. On February 1, 2008, Plaintiffs/Counter-Defendants (“Plaintiffs”) filed their First Amended Complaint against Defendants.
2. On February 19, 2008, Defendants filed their Answer to Plaintiffs’ First Amended Complaint and Defendants’ Counterclaim Against Plaintiffs (docket number 19). Defendants

attached, as Exhibit A, a letter sent to Plaintiffs prior to the beginning of litigation. The letter contained operative facts that partially served as the basis for Defendants' Counterclaim. However, Exhibit A contains certain confidential and private information regarding various individuals not party to the instant dispute.

3. On March 3, 2008, Plaintiffs filed their Motion to Dismiss Counterclaim.
4. On March 27, 2008, Defendants filed their Response to Plaintiffs' Motion to Dismiss Counterclaim and Motion for Leave Instanter to Amend its Counterclaim (docket number 27). Defendants again attached, as Exhibit A, the document containing confidential and private information.
5. For the privacy and security of the third-parties, certain non-essential and confidential information contained in Exhibit A should not be available to the public.
6. Defendants respectfully request that this Court remove from docket numbers 19 and 27 the documents filed as Exhibit A, and allow Defendants to re-file the exhibits with the private and confidential information redacted.

WHEREFORE, Defendants, AGL Resources, Inc., request that this Court grant Defendants' Agreed Motion to Remove and Re-file Redacted Exhibits to Defendants' Counterclaim.

Respectfully submitted,

/s/ Jordan Goodman
Attorney for Defendants / Counter-Plaintiffs

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Dated: June 19, 2008

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